Supreme Court, U.S.
FILED
JUN - 8 2015
OFFICE OF THE CLERK

No. 14-452

# In the Supreme Court of the United States

STATE OF KANSAS,

*Petitioner*,

v.

SIDNEY J. GLEASON,

*Respondent*.

*On Writ of Certiorari to the Supreme Court of Kansas*

## JOINT APPENDIX

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June 2015

Petition for Writ of Certiorari filed October 16, 2014
Petition for Writ of Certiorari granted March 30, 2015

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The following opinions, decisions, judgments, and orders have been omitted in printing this joint appendix because they appear on the following pages in the appendix to the Petition for Certiorari:

Appendix A Opinion of the Supreme Court of Kansas (July 18, 2014) App. 1

Appendix B Jury Instructions and Sentencing Verdict in the District Court of Barton County, Kansas (April 21, 2006) App. 129

Appendix C Excerpts of Jury Trial in the District Court of Barton County, Kansas (April 20 & 21, 2006) . App. 139

**RELEVANT DOCKET ENTRIES**

**Barton County District Court, Kansas**

**Case No. 2004-CR-000052**

***State of Kansas vs. Sidney J Gleason, et al.***

**Felony**

* * *

**Register of Actions**

| | | |
|---|---|---|
| 02/27/ 2004 | Complaint (On or about 2/21/04) | Kitts, Hannelore |
| | Affidavit | Kitts, Hannelore |
| Document sealed | | |
| | Arrest Warrant Issued Bond amount: $1,000,000 (Gleason) | Kitts, Hannelore |
| 03/01/ 2004 | Arrest Warrant Served/Returned 2/27/04 - Gleason | Kitts, Hannelore |
| 03/02/ 2004 | Order Appointing Counsel Private or Public Defender (Ronald Evans for Gleason) | Kitts, Hannelore |
| | Hearing Scheduled (First Appearance 3/4/04 9am) | Kitts, Hannelore |

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| | Application for Appointed Defense Services-Financial Affidavit (Gleason) | Kitts, Hannelore |
| 03/03/ 2004 | Entry of Appearance (Ronald F. Evans) | Kitts, Hannelore |
| 03/04/ 2004 | Amended Complaint | Kitts, Hannelore |
| | Hearing result for First Appearance held on 03/04/2004 09:00 am: First Appearance Held | Kitts, Hannelore |
| | Hearing Scheduled (Motions 03/31/2004 10:00 am) | Kitts, Hannelore |
| | Hearing Scheduled (Preliminary Hearing 05/03/2004 09:00 am) | Kitts, Hannelore |
| 03/05/ 2004 | Order to Transport - KBI to transport defendant to Pratt Co Jail pending further orders of the Court | Kitts, Hannelore |
| 03/09/ 2004 | Order to Convey Issued to KBI Sidney J. Gleason | Kitts, Hannelore |
| | Agreement Between the State and the Defendant for Exchange of Discovery and Witness Lists | Kitts, Hannelore |
| 03/19/ 2004 | Notice by Sidney J. Gleason of Exercise of Rights (Evans) | Kitts, Hannelore |

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| Motion for Preservation of Physical Evidence/Cert of Service (Evans) | Kitts, Hannelore |
| Motion for Preservation of Physical Evidence/Cert of Service (Evans) | Kitts, Hannelore |
| Motion for Preservation and Production of Alleged Statements of the Accused/Cert of Service (Evans) | Kitts, Hannelore |
| Motion to Record and Transcribe All Proceedings/Cert of Service (Evans) | Kitts, Hannelore |
| Motion to Require Investigative Officers to Retain Rough Notes and/or Audiotape Notes/Cert of Service (Evans) | Kitts, Hannelore |
| Motion for Accused to Appear at All Proceedings Without Restraints/Cert of Service (Evans) | Kitts, Hannelore |
| Motion for Accused to Appear in Civilian Clothing/Cert of Service (Evans) | Kitts, Hannelore |

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| | Motion to Prohibit Seizure of Evidence/Cert of Service (Evans) | Kitts, Hannelore |
| | Motion to Close the Preliminary Hearing/Cert of Service (Evans) | Kitts, Hannelore |
| | Motion for Defense Access to Crime Scenes/Cert of Service (Evans) | Kitts, Hannelore |
| 03/25/ 2004 | State's Response to Defendant's Motion for Access to the Crime Scenes/Cert of Service | Kitts, Hannelore |
| | State's Response to defendant's Notice of Exercise of Rights/Cert of Service | Kitts, Hannelore |
| | State's Response to Defendant's Motion for Preservation of Physical Evidence/Cert of Service | Kitts, Hannelore |
| | State's Response to Defendant's Motion to Preserve Police Communications/Cert of Service | Kitts, Hannelore |

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| State's Response to Defendant's Motion ot Preserve and Produce Statements of the Defendant/Cert of Service | Kitts, Hannelore |
| State's Response to Defendant's Motion to Record and Transcribe All Proceedings/Cert of Service | Kitts, Hannelore |
| State's Response to Defendant's Motion to Require Investigative Officers to Retain Rough Notes and/or Audiotape Notes/Cert of Service | Kitts, Hannelore |
| State's Response to Defendant's Motion for the Defendant to Appear at all Proceedings Without Restraints/Cert of Service | Kitts, Hannelore |
| State's Response to Defendant's Motion for the Defendant to Appear in Civilian Clothing/Cert of Service | Kitts, Hannelore |
| State's Response to defendant's Motion to Prohibit Seizure of Evidence/Cert of Service | Kitts, Hannelore |

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| | State's Response to defendant's Motion to Close the Preliminary Hearing/Cert of Service | Kitts, Hannelore |
| 03/30/ 2004 | Hearing Rescheduled (Motion 03/31/2004 10:00 am) | Kitts, Hannelore |
| 05/03/ 2004 | Agreed Order for Continuance (Prelim reset to 8/11/04 from 5/3/04) | Kitts, Hannelore |
| 06/09/ 2004 | Confidential Filing | Kitts, Hannelore |
| Document sealed | | |
| 07/09/ 2004 | Praecipe for Subpoena; Subpoena Issued to BTSO (Hrg 8/11/04@9am) 07/13/04 Brittany L Fulton- No service | Kitts, Hannelore |
| | Praecipe for Subpoena; Subpoena Issued to BTSO (Hrg 8/11/04@9am) 07/13/04 Enrique Galindo- PS 7/12/04 | Kitts, Hannelore |
| | Praecipe for Subpoena; Subpoena Issued to BTSO (Hrg 8/11/04@9am) 09/02/04 Duces Tecum: Cory Latham c/oKBI- No service | Kitts, Hannelore |

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| | Praecipe for Subpoena; Subpoena Issued to BTSO (Hrg 8/11/04@9am) 07/26/04 Damien C Thompson c/o Sgt Bellendir- No service (Gleason in Saline Co Jail) | Kitts, Hannelore |
| 07/27/ 2004 | Praecipe for Subpoena; Subpoena Issued to Rice Co (Hrg 8/11/04@11am) 08/03/04 J'Ana L Edwards-RS (Irene Gleason) 7/29/04 | Kitts, Hannelore |
| 07/28/ 2004 | Praecipe for Subpoena; Subpoena Issued to BTSO (Hrg 8/11/04@9am) 07/28/04 Brittany L Fulton-PS 7/28/04 | Kitts, Hannelore |
| 08/10/ 2004 | Second Amended Complaint/Information | Kitts, Hannelore |
| 08/11/ 2004 | Notice of Intent to request Separate Sentencing Proceeding and Notice of Aggravating Circumstances (Phill Kline) | Kitts, Hannelore |
| | Hearing result for Preliminary Hearing held on 08/11/2004 09:00am: Arraignment, plead not guilty | Kitts, Hannelore |
| 08/12/ 2004 | Blue Back to Rice Co Sheriff Office (Damien Thompson) | Kitts, Hannelore |

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| 08/27/ 2004 | Transcript of Preliminary Hearing (6/11/2004) | Kitts, Hannelore |
| | Order (8/20/04 - 8/11/2004 Prelim Transcript ordered to be prepared) | Kitts, Hannelore |
| 08/31/ 2004 | Motion to Dismiss Charges Within the Amended Complaint (Accused filing #16) | Kitts, Hannelore |
| | Motion to Bar the Death Penalty (Accused filing #17) | Kitts, Hannelore |
| 09/01/ 2004 | Hearing Scheduled (Motion 09/16/2004 09:00am) (Defendant's Motions) | Kitts, Hannelore |
| | Notice of Hearing: Defendants Motion to Dismiss Charges Within the Amended Complaint and Motion to Bar the Death Penalty (9/16/04@9am) | Kitts, Hannelore |
| 09/08/ 2004 | Defendant's Waiver of His Right to Speedy Trial (accused filing #18) | Kitts, Hannelore |
| 09/10/ 2004 | State's Response to Defendant's Motion to Dismiss Charges Within the Amended Complaint (Accused filing #16) | Kitts, Hannelore |

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| | State's Response to Defendant's Motion to Bar the Death Penalty (Accused filing #17) | Kitts, Hannelore |
| 09/17/ 2004 | Hearing Rescheduled (Motion 09/27/2004 01:30 pm) (Defendant's Motions)(Cont from 9/16/04) | Kitts, Hannelore |
| | Notice of Hearing - Defendant's Motion to Dismiss Charges Within the Amended Complaint and Motion to Bar the Death Penalty (9/27/04@1:30pm) | Kitts, Hannelore |
| 09/27/ 2004 | Information | Kitts, Hannelore |
| 09/28/ 2004 | Hearing result for Motion held on 09/27/2004 01:30 pm: Hearing Held (Defendant's Motions)(Cont from 9/16/04) | Kitts, Hannelore |
| | Order | Kitts, Hannelore |
| 09/30/ 2004 | Memorandum in Support of Defense Motion to Dismiss | Kitts, Hannelore |
| 12/13/ 2004 | Hearing Scheduled (All Pending Motions 01/11/2005 09:00 am) | Kitts, Hannelore |

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| | Notice of Hearing - All Pending Motions (1/11/05@9am) | Kitts, Hannelore |
| 01/12/ 2005 | Hearing result for Motion held on 01/11/2005 09:00 am: Hearing Held | Kitts, Hannelore |
| 02/03/ 2005 | Hearing Scheduled (Pretrial 06/08/2005 09:00 am) | Kitts, Hannelore |
| | Hearing Scheduled (Jury Trial 06/20/2005 09:00 am) 2 weeks | Kitts, Hannelore |
| 02/04/ 2005 | Notice of Hearing - Pretrial (6/8/05@9am) | Kitts, Hannelore |
| | Notice of Hearing - 2 week Jury Trial (6/20/05@9am) | Kitts, Hannelore |
| 03/17/ 2005 | Confidential Filing | Kitts, Hannelore |
| Document sealed | | |
| 03/29/ 2005 | Confidential Filing | Kitts, Hannelore |
| Document sealed | | |
| 05/20/ 2005 | Juror Questionnaire | Kitts, Hannelore |

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| 05/23/ 2005 | Motion to Remand for Further Preliminary Hearing (Accused Filing #20) | Kitts, Hannelore |
| | Motion for Discovery (Accused Filing #21) | Kitts, Hannelore |
| | Motion for Production (Accused Filing #22) | Kitts, Hannelore |
| 05/25/ 2005 | State's Response to Defendant's Motion to Remand for Further Preliminary Hearing (Response to Accused Filing #20) | Kitts, Hannelore |
| | State's Response to Defendant's Motion for Discovery (Response to Accused Filing #21) | Kitts, Hannelore |
| | State's Response to Defendant's Motion for Production (Response to Accused Filing #22) | Kitts, Hannelore |
| 06/08/ 2005 | Order to Release Evidence | Kitts, Hannelore |
| 06/09/ 2005 | Hearing result for Pretrial held on 06/08/2005 09:00 am: Continued | Kitts, Hannelore |
| 06/14/ 2005 | Journal Entry - 6/8/05 Pretrial Hearing; Trial (11/1/05@9am) | Kitts, Hannelore |

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| 06/15/ 2005 | Hearing Scheduled (Jury Trial 11/01/2005 09:00 am) 3 weeks | Kitts, Hannelore |
| 06/21/ 2005 | Hearing Scheduled (Motion 09/06/2005 09:00 am) All pending motions | Kitts, Hannelore |
| | Hearing Scheduled (Pretrial 10/19/2005 01:30 pm) | Kitts, Hannelore |
| | Notice of Hearing - Pretrial (10/19/05@1:30pm) | Kitts, Hannelore |
| | Notice of Hearing - 3 week Jury Trial (11/1/05@9am) | Kitts, Hannelore |
| | Notice of Hearing - All Pending Motions (9/6/05@9am) | Kitts, Hannelore |
| 06/24/ 2005 | Memorandum of Decision | Kitts, Hannelore |
| | Memorandum Decision on Defendant's Motion to Dismiss Charges Within the Amended Complaint | Kitts, Hannelore |
| 08/03/ 2005 | Confidential Filing | Kitts, Hannelore |
| Document sealed | | |
| 08/08/ 2005 | Hearing Rescheduled (Motion 09/30/2005 09:00 am) All pending motions from 9/6/05 | Kitts, Hannelore |

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| 08/09/ 2005 | Notice of Hearing - All Pending Motions (9/30/05@9am) | Kitts, Hannelore |
| 08/31/ 2005 | Motion to Prohibit Antemortem Photographs (Accused Filing #23) | Kitts, Hannelore |
| | Motion to Preclude Improper Impeachment of Expert Witnesses (Accused Filing #24) | Kitts, Hannelore |
| | Motion for a Pretrial Hearing Regarding Gruesome Photographs (Accused Filing #25) | Kitts, Hannelore |
| | Objuction to Proceedings Under K.S.A>.21.4624 as Violative of Sidney Gleason's Rights Under the 6th and 14th Amendments to the Federal Constitution (Accused Filing #26) | Kitts, Hannelore |
| | Motion to Enjoin the Victim's Family and Friends from Sitting Directly Before the Jury and from Showing Emotion in the Courtroom During the Trial (Accused Filing #27) | Kitts, Hannelore |

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| Motion for Allocution Before the Sentencing Jury (Accused Filing #28) | Kitts, Hannelore |
| Motion to Bar Victim Impact Evidence (Accused Filing #29) | Kitts, Hannelore |
| Motion to Determine Duration of Accused's Sentence Before Jury Deliberations in Penalty Phase (Accused Filing #30) | Kitts, Hannelore |
| Memorandum of Law Re:Capital Voir Dire (Accused Filing #31) | Kitts, Hannelore |
| Motion to Bar "For Cause" Challenges of Jurors Based on Their Religious Opposition to the Death Penalty (Accused Filing #32) | Kitts, Hannelore |
| Motion to Regulate State's Reliance on Body Language as a Tationale for a Peremptory Challenge (Accused Filing #33) | Kitts, Hannelore |
| Motion to Allow Voir Dire Regarding the Cost Effectiveness of the Death Penalty (Accused Filing #34) | Kitts, Hannelore |

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| Motion for Voir Dire Re: Sentence Length (Accused Filing #35) | Kitts, Hannelore |
| Accused's Trial Brief Regarding Right to Present a Defense and to Confront Witnesses (Accused Filing #36) | Kitts, Hannelore |
| Motion to Strike K.S.A. 21.4625(2) Aggravating Circumstance that the Defendant Knowingly or Purposefully Killed or Created a Great Risk of Death to More than One Person (Accused Filing #37) | Kitts, Hannelore |
| Accused's Motion in Limine Regarding Evidence Pursuant to K.S.A. 60.455 (Accused Filing #38) | Kitts, Hannelore |
| Accused's Motion in Limine Regarding Character Evidence (Accused Filing #39) | Kitts, Hannelore |
| Accused's Motion in Limine Regarding Criminal History (Accused Filing #40) | Kitts, Hannelore |
| Accused's Motion in Limine Regarding Post Arrest Silence (Accused Filing #41) | Kitts, Hannelore |

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| Motion to Strike Death Penalty Statute as Unconstitutional (Accused Filing #42) | Kitts, Hannelore |
| Motion for Notice of and Pretrial Hearing Regarding Admissibility of All Hearsay Statements (Accused Filing #43) | Kitts, Hannelore |
| Motion to Preclude Evidence of Alleged Gang Membership of Defendant (Accused Filing #44) | Kitts, Hannelore |
| Motion to Determine Order of Closing Argument at Penalty Phase (Accused Filing #45) | Kitts, Hannelore |
| Motion for Discovery Re: Mitigating Evidence (Accused Filing #46) | Kitts, Hannelore |
| Motion to Strike Death Penalty Statute for Improper Weighing of Aggragating and Mitigating Factors (Accused Filing #47) | Kitts, Hannelore |
| Motion to Strike "Avoid Arrest" Aggravating Circumstance (Accused Filing #48) | Kitts, Hannelore |

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| | Motion Motion for Discovery of "Impeachable Prior Convictions" (Accused Filing #49) | Kitts, Hannelore |
| | Motion to Reveal Any Deal Made By the State (Accused Filing #50) | Kitts, Hannelore |
| | Motion for Compensation of Jurors at Current Wages and for Reimbursement to Primary Caregivers for Day Care Costs (Accused Filing #51) | Kitts, Hannelore |
| | Motion for Continuance (Accused Filing #52) | Kitts, Hannelore |
| 09/16/ 2005 | Hearing Rescheduled (Pretrial 01/05/2006 09:00 am) from 10/19/05 | Kitts, Hannelore |
| | Hearing Rescheduled (Jury Trial 04/04/2006 09:00 am) from 11/1/05 | Kitts, Hannelore |
| | Notice of Hearing - Pretrial (1/5/05@9am) | Kitts, Hannelore |
| | Notice of Hearing - 14 day Jury Trial (4/4/06@9am) | Kitts, Hannelore |

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| 09/26/ 2005 | State's Response to Defendant's Motion to Determine Order of Closing Argument at Penalty Phase (Response to Accused Filing #21) | Kitts, Hannelore |
| | State's Response to Defendant's Motion to Prohibit Antemortem Photographs (Response to Accused Filing #23) | Kitts, Hannelore |
| | State's Response to Defendant's Motion to Preclude Improper Impeachment of Expert Witnesses (Response to Accused Filing #24) | Kitts, Hannelore |
| | State's Response to Defendant's Motion for a Pretrial Hearing Regarding Gruesome Photographs (Response to Accused Filing #25) | Kitts, Hannelore |
| | State's Trsponse to Defendant's Objection to Proceeding Under K.S.A. 21.4624 (Response to Accused Filing #26) | Kitts, Hannelore |

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| State's Response to Defendant's Motion for Allocution Before the Sentencing Jury (Response to Accused Filing #28) | Kitts, Hannelore |
| State's Response to Defendant's Motion to Bar Victim Impact Evidence (Response to Accused Filing #29) | Kitts, Hannelore |
| State's Response to Defendant's Motion to Determine Duration of Accused's Sentence Before Jury Deliberations in Penalty Phase (Response to Accused Filing #30) | Kitts, Hannelore |
| State's Response to defendant's Motion to Bar "For Cause" Challenges to Jurors Based on their Religious Opposition to Death Penalty (Response to Accused Filing #32) | Kitts, Hannelore |
| State's Response to Defendant's Motion to Regulate State's Reliance on Body Language as a Rational for a Preemptory Challenge (Response to Accused Filing #33) | Kitts, Hannelore |

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| State's Response to Defendant's Motion to Allow Voir Dire Regarding the Cost Effectivenes of the Death Penalty (Response to Accused Filing #34) | Kitts, Hannelore |
| State's Response to Defendant's Motion for Voir Dire: Sentence Length (Response to Accused Filing #35) | Kitts, Hannelore |
| State's Response to defendant's Motion to Strike K.S.A. 21.4625(2) Aggravating Circumstance that the Defendant Knowingly of Purposefully Killed or Created a Great Risk of Death to More than One Person (Response to Accused Filing #37) | Kitts, Hannelore |
| State's Responses to Defendant's Motion in Limine Regarding Post Arrest Silence; Motion in Limine Regarding Criminal History; Motion in Limine Regarding Character Evidence; and Motion in Limine Regarding Evidence Pursuant to K.S.A. 60.455 (Responses to Accused Filings #41, #40, #39, #38) | Kitts, Hannelore |

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| State's Response to Defendant's Motion to Strike Death Penalty Stature as Unconstitutional (Response to Accused Filing #42) | Kitts, Hannelore |
| State's Response to Defendant's Motion for Notice of and Pretrial Hearing Regarding Admissigility of All Hearsay Statements (Rsponse to Accused Filing #43) | Kitts, Hannelore |
| State's Response to Defendant's Motion to Strike Death Penalty Statute for Improper Weighing of Aggravating and Mitigating Factors (Response to Accused Filing #47) | Kitts, Hannelore |
| State's Response to Defendant's Motion to Strike "Avoid Arrest" Aggravating Circumstance (Response to Accused Filing #48) | Kitts, Hannelore |
| State's Response to Defendant's Motion to Preclude Evidence of Alleged Gang Membership of Defendant (Response to Accused Filing #48) | Kitts, Hannelore |

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| | State's Response to Defendant's Motion for Discovery of "Impeachable Prior Convictions" (Response to Accused Filing #49) | Kitts, Hannelore |
| | State's Response to Defendant's Motion to Reveal Any Deal Made by the State (Response to Accused Filing #50) | Kitts, Hannelore |
| | State's Response to Defendant's Motion for Compensation of Jurors at Current Wages and for Reimbursement to Primary Caregivers for Day Care Costs (Response to Accused Filing #51) | Kitts, Hannelore |
| | Journal Entry of Continuance - 9/7/05 Pretrial rescheduled to (1/5/06@9am); Jury Trial (4/4/06@9am) | Kitts, Hannelore |
| 09/28/ 2005 | State's Response to Defendant's Motion for Discovery Re: Mitigating Evidence | Kitts, Hannelore |
| | Attachment for State's Response to Accued's Filing #47 | Kitts, Hannelore |

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| 12/29/ 2005 | Hearing Rescheduled (Pretrial 03/16/2006 01:00 pm) & All Pending Motions from 1/05/06 | Kitts, Hannelore |
| | Notice of Hearing - Pretrial and any Pending Motions (3/16/06@1pm) | Kitts, Hannelore |
| 02/08/ 2006 | State's Motion to Endorse Witnesses/Notice of Hearing (3/16/06@1pm) | Kitts, Hannelore |
| 02/21/ 2006 | Praecipe for Subpoena; Subpoena Issued to BTSO (Hrg 4/6/06-4/21/06)<br>2/23/06 Roger Butler PS 2/22/06<br>2/23/06 Heather Davis - PS (Browne) 2/22/06<br>2/23/06 Denton Doze - PS 2/22/06<br>3/6/06 Paul Elliott - PS 3/4/06<br>2/22/06 Brittany Fulton - No Service<br>3/20/06 Brittany Fulton 3/8/06<br>2/23/06 Cory Latham PS 2/22/06<br>2/27/06 Jason Livingston No Service<br>3/29/06 Jason Livingston PS 3/27/06<br>2/23/06 Terry Millard - PS | Kitts, Hannelore |

2/22/06
2/23/06 James Newman PS
2/22/06
2/23/06 Val Gene Williams -
No Service
3/20/06 Val Gene Williams -
PS 3/6/06
Subpoena Issued to Shawnee
Co Sheriff
3/6/06 Eric Moore - AS 3/1/06
Kim Howard
3/6/06 Delbert L Hawel AS
3/1/06 Kim Howard
3/22/06 Tracie Ladene
Hatfield No Service
3/6/06 Mark K Hall- PS 3/2/06
3/13/06 David Debenham PS
3/9/06
3/6/06 Amy Coody - AS 3/1/06
Kim Howard
3/6/06 Steve Bundy - AS
3/1/06 Kim Howard
Subpoena Issued to Sedgwick
Co Sheriff
2/28/06 David Klamm RS
(Vikki Buell) 2/23/06
2/28/06 Mary Dudley -RS
(Julia) 2/23/06
Subpoena Issued to Rice Co
Sheriff
3/29/06 J'Anna Lynn Edwards
- No Service
02/24/06 Floyd H Grissom
PS 02/22/06

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| | Subpoena Issued to Reno Co Sheriff<br>2/23/06 Damien Charles Thompson PS 2/22/06<br>Subpoena Returned to Atty (Maxwell) for service<br>3/22/06 Irma Rodriguez (no address) - PS 3/22/06<br>Enrique Galindo (no address) -<br>Lora Alvarez (Phoenix, Az) - | |
| 02/22/ 2006 | Subpoena Issued to KBI (4/6/06-4/21/06@9am) Tracie Hatfield | Kitts, Hannelore |
| | Subpoena Issued to KBI (4/6/06-4/21/06@9am) 3/29/06 Janna Edwards - PS 3/27/06 | Kitts, Hannelore |
| 02/23/ 2006 | Confidential Juror Questionnaire | Kitts, Hannelore |
| 03/16/ 2006 | Order - Jason Gleason to be transported from KDOC to Barton Co Detention Facility 4/18/06<br>4/20/06 - Transported from KDOC to Barton Co Courthouse 4/18/06 | Kitts, Hannelore |
| | Motion for Material Witness Certificate | Kitts, Hannelore |

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|---|---|---|
| | Certificate | Kitts, Hannelore |
| | Writ of Habeas Corpus Ad Testificandum | Kitts, Hannelore |
| | Order for Transport<br>4/4/06 Enrique Galindo Lansing Correctional Facility Transported to Barton Co Jail 4/3/06<br>4/4/06 Damien Thompson Hutchinson Corr Facility - Transported to Barton Co Jail 4/3/06 | Kitts, Hannelore |
| | Journal Entry of Motion Hearings - 9/30/05 | Kitts, Hannelore |
| 03/21/ 2006 | Praecipe for Subpoena; Subpoena Issued to BTSO (Hrg 4/4/06-4/21/06@9am)<br>3/21/06 Brittany Fulton PS 3/21/06 | Kitts, Hannelore |
| | Order - 3/15/06 - Court Authorizes the transcript of the Hearing held on 9/30/05 be prepared | Kitts, Hannelore |
| | Transcript of Proceedings (9/30/05) | Kitts, Hannelore |

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| 03/22/ 2006 | Subpoena Issued to KBI (4/6/06-4/21/06@9am) 3/29/06 Terri Canterburry -PS 3/22/06 | Kitts, Hannelore |
| 03/23/ 2006 | Hearing result for Pretrial held on 03/16/2006 01:00 pm: Hearing Held & All Pending Motions from 1/05/06 | Kitts, Hannelore |
| 03/24/ 2006 | Subpoena Issued to KBI (4/6-4/21/06@9am) 3/29/06 Kelsey Grissom- PS 3/24/06 | Kitts, Hannelore |
| 03/27/ 2006 | Accused's Memorandm of Law in Support of His Motion for Change of Venue | Kitts, Hannelore |
| | Motion for Change of Venue (Accused Filing #53) | Kitts, Hannelore |
| 03/29/ 2006 | Response to Defendant's Motion to Change Venue | Kitts, Hannelore |
| | Motion for Continuance (Change of Venue)/Notice of Hearing (3/31/06@3pm)/ Exhibit "A"/Exhibit "B" (Accused filing #55) | Kitts, Hannelore |
| 03/31/ 2006 | Hearing Scheduled (Motion 03/31/2006 03:00 pm) | Kitts, Hannelore |

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| 04/13/ 2006 | Praecipe for Subpoena; Subpoena Issued to BTSO (Hrg 4/14/06@9am) 4/19/06 Terry Millard RS (David Bailey) 4/13/06 | Kitts, Hannelore |
| | Praecipe for Subpoena; Subpoena Issued to BTSO (Hrg 4/14/06@9am) 4/19/06 Delbert Hawel KBI RS (Kim Steinert) 4/13/06 | Kitts, Hannelore |
| | Praecipe for Subpoena; Subpoena Issued to BTSO (Hrg 4/14/06@9am) 4/19/06 William Widiger #343 PS 4/13/06 | Kitts, Hannelore |
| | Praecipe for Subpoena; Subpoena Issued to BTSO (Hrg 4/14/06@9am) 4/19/06 Sylvia French aka Sylvia Link PS 4/14/06 | Kitts, Hannelore |
| | Praecipe for Subpoena; Subpoena Issued to BTSO (Hrg 4/14/06@9am) 4/17/06 Dr David L Cooper OD PS 4/17/06 | Kitts, Hannelore |
| 04/15/ 2006 | State's Response to Defendant's Motion for a Mistrial | Kitts, Hannelore |

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| 04/17/ 2006 | Hearing result for Motion held on 03/31/2006 03:00 pm: Hearing Held | Kitts, Hannelore |
| | Accused's Proposed Jury Instructions - First Phase | Kitts, Hannelore |
| 04/19/ 2006 | Question from Jury | Kitts, Hannelore |
| | Jury Trial Instruction l-21 | Kitts, Hannelore |
| | Verdict | Kitts, Hannelore |
| | Final Panel w/Attached panels 1-4 | Kitts, Hannelore |
| 04/21/ 2006 | Sentencing Instructions 1-13 | Kitts, Hannelore |
| | Sentencing Verdict | Kitts, Hannelore |
| | Exhibit File<br>State's Exhitit's 1 -89; 94-102; 105; 107 filed 4/21/06<br>Defendant Exhibits 2 7 | Kitts, Hannelore |
| 04/24/ 2006 | Hearing result for Jury Trial held on 04/04/2006 09:00 am: Jury Trial - Guilty, Original Charge from 11/1/05 | Kitts, Hannelore |

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| | PSI ordered 04-19-2006 | Kitts, Hannelore |
| 04/28/ 2006 | Order for Transport | Kitts, Hannelore |
| | Motion for Arrest fo Judgment (Evans) | Kitts, Hannelore |
| 05/09/ 2006 | Hearing Scheduled (Sentencing 08/28/2006 01:30 pm) | Kitts, Hannelore |
| | Notice of Hearing - Sentencing (8/28/06@1:30pm) | Kitts, Hannelore |
| | Journal Entry of Jury Trial 4/4/06-4/21/06 | Kitts, Hannelore |
| 06/21/ 2006 | PSI completed and submitted to Court. | Kitts, Hannelore |
| 06/22/ 2006 | Presentence Investigation Report | Kitts, Hannelore |
| | Confidential PSI Information {CF} | Kitts, Hannelore |
| Document sealed | | |
| 08/21/ 2006 | Victim's Impact and Attitude Statement | Kitts, Hannelore |
| Document sealed | | |
| 08/24/ 2006 | Motion for New Trial Based on Newly Discovered Evidence/Affidavit | Kitts, Hannelore |

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| | State's Response to Defendant's Motion for a New Trial | Kitts, Hannelore |
| 08/27/ 2006 | State's Amended Response to Defendant's Motion for a New Trial | Kitts, Hannelore |
| 08/28/ 2006 | Victim Impact Statement (Shirley Tomlin) | Kitts, Hannelore |
| | Death Warrant (Certified Copy to Sheriff Causey) | Kitts, Hannelore |
| | KSG Journal Entry of Judgment - 8/28/06 - Count I, Capital Murder, K.S.A. 21.3439(a)(6), off grid person felony; Death Penalty; Restitution $10, 891.03; Court Costs $172.50; BIDS atty fee $100.00; DNA fee $100.00; KBI Lab Fee $400.00; Restitution to be paid to Steve & Becky Wornkey ($5,891.03) and Crime Victim Compensation Board ($5,000.00); Count II, Murder in the First Degree, K.S.A. 21.3401(a) off grid person felony; Mandatory minimum of greater of hard 50 years (600) months; Count III, Agg Kidnapping, K.S.A. 21.3421, level 1 person felony; DOC | Kitts, Hannelore |

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| 586 months; Postrelease life; Count IV, K.S.A. 21.3427, level 3 nondrug person felony; 59 months DOC; Count V, Criminal Possession of a Firearm, K.S.A. 21.4202(a)(2), level 8 nonperson felony; 8 months DOC | |
| Hearing result for Sentencing held on 08/28/2006 01:30 pm: Hearing Held | Kitts, Hannelore |
| Notice of Appeal | Kitts, Hannelore |
| Order Appointing Appellate Counsel | Kitts, Hannelore |
| Order for Transcript | Kitts, Hannelore |

**RELEVANT DOCKET ENTRIES**

**Supreme Court of Kansas**

**Appellate Case No. 97296**

***State of Kansas v. Sidney J. Gleason***

**Case Event Detail**

| Date | Description |
|---|---|
| 06-APR-15 | MEMO NOTATION / Mtn proceed in forma pauperis Granted : Petition for Writ of Cert Granted US S/C |
| 09-FEB-15 | ORDER BY THE COURT / Noted: Appellee's Status Rpt filed 2/2/15. Due 5/4/2015 Appellee Status Rpt. |
| 02-FEB-15 | STATUS REPORT / State of Kansas |
| 29-JAN-15 | MEMO NOTATION / Petition for Writ of Certiorari is Denied : U.S. S/C |
| 08-DEC-14 | MEMO NOTATION / Petition for Writ of Certiorari placed on 11/26/14 Docket - U.S. S/C |
| 04-NOV-14 | ORDER BY THE COURT / Noted-status report. Next status report due 2/2/2015 - State of Kansas |
| 27-OCT-14 | MEMO NOTATION / Petition for Writ of Certiorari placed on 10/20/14 Docket - U.S. S/C |

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| 22-OCT-14 | STATUS REPORT / STATE OF KANSAS |
| 08-SEP-14 | ORDER BY THE COURT / Moot Mtn for Judicial Notice of instruct. in other cap cases-Gleason. Resp noted |
| 03-SEP-14 | ORDER BY THE COURT / Noted:Aple Notice of Intent to File Writ/Cert. Due 12/2/2014 Status Rpt - State |
| 08-AUG-14 | MEMO MOTION / Notice of intent to file Petition for Writ of Certiorari in U.S.S.C. - State |
| 18-JUL-14 | PUBLISHED OPINION / 106 pages - $26.50 |
| 18-JUL-14 | JUDGMENT DOCKETED-OPINION FILED / Affirmed in part, vacated in part, & remanded Per Curiam |
| 08-JUL-14 | RULE 6.09(B) LETTER / STATE OF KANSAS |
| 30-DEC-13 | RESPONSE- / Judicial Notice Felony Murder Instruction Given In Capital Cases - State |
| 20-DEC-13 | MEMO MOTION / Judicial Notice Felony Murder Instruction Given In Capital Cases - S. Gleason |
| 07-NOV-13 | SUPPLEMENTAL BRIEF / Resp of State |

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| 25-OCT-13 | SUPPLEMENTAL BRIEF / SIDNEY J. GLEASON |
| 15-OCT-13 | SUPPLEMENTAL BRIEF / State |
| 01-OCT-13 | ORDER CONTINUED / Any Appellee reply br due 14 days after service - 10 pg limit |
| 01-OCT-13 | ORDER CONTINUED / Gleason Supp br due 30 days after service. (20 pg limit). |
| 01-OCT-13 | ORDER - GRANTING MOTION / to file supplemental briefs. Due 10/31/13 State brief 20 pg limit, |
| 18-SEP-13 | RULE 6.09(B) LETTER / SIDNEY J. GLEASON |
| 16-SEP-13 | RULE 6.09(B) LETTER / STATE OF KANSAS |
| 16-SEP-13 | MEMO MOTION / State's Motion for Supplemental Briefing - STATE OF KANSAS |
| 07-NOV-12 | RULE 6.09(B) LETTER / STATE OF KANSAS |
| 03-OCT-12 | RULE 6.09(B) LETTER / SIDNEY J. GLEASON |
| 02-OCT-12 | RULE 6.09(B) LETTER / SIDNEY J. GLEASON |
| 02-OCT-12 | RULE 6.09(B) LETTER / SIDNEY J. GLEASON |

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| 02-OCT-12 | RULE 6.09(B) LETTER / SIDNEY J. GLEASON |
| 02-OCT-12 | RULE 6.09(B) LETTER / SIDNEY J. GLEASON |
| 08-AUG-12 | CAUSE SCHEDULED FOR HEARING / Set for hearing Friday 10/26/2012 @ 9:00 a.m. (45 mins) |
| 19-JUL-12 | REPLY BRIEF / SIDNEY J. GLEASON |
| 21-JUL-12 | RECORD RECEIVED - CLERK, DISTRICT COURT / RECEIVED 30 VOLS (3 BOXES), BARTON COUNTY (PER CAROL'S REQUEST) |
| 17-APR-12 | BRIEF RECEIVED / State |
| 16-DEC-11 | ORDER DENYING EXT. OF TIME FOR BRIEF / as moot-5th ext of time. Due 5/20/12 Br-State, Final ext. Any reply due 7/19/12 |
| 16-DEC-11 | MEMO ORDER- GRANTING MOTION / To withdraw - Maag for State of Kansas |
| 06-DEC-11 | MOTION TO WITHDRAW / Maag For STATE OF KANSAS |
| 06-DEC-11 | MEMO ORDER / 12/14/2011 @ 9:30 a.m. telephone status conference with counsel |

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| 10-NOV-11 | MOT. FOR EXT. OF TIME TO FILE BRIEF / 5th motion State of Kansas |
| 08-SEP-11 | ORD. GRANTING EXT. OF TIME. TO FILE BRF. / Brief due 11/21/2011 - STATE OF KANSAS |
| 08-AUG-11 | MOT. FOR EXT. OF TIME TO FILE BRIEF / 4th motion - STATE of Kansas |
| 27-MAY-11 | ORD. GRANTING EXT. OF TIME. TO FILE BRF. / BRIEF DUE 8/22/2011 STATE OF KANSAS |
| 16-MAY-11 | MOT. FOR EXT. OF TIME TO FILE BRIEF / 3RD MOTION - STATE |
| 23-FEB-11 | ORD. GRANTING EXT. OF TIME. TO FILE BRF. / BRF DUE 05/23/2011 - STATE OF KANSAS |
| 08-FEB-11 | MOT. FOR EXT. OF TIME TO FILE BRIEF / 2ND MOTION STATE OF KANSAS |
| 03-DEC-10 | ORD. GRANTING EXT. OF TIME. TO FILE BRF. / DUE 2/21/2011 BR-STATE OF KANSAS |
| 18-NOV-10 | MOT. FOR EXT. OF TIME TO FILE BRIEF / 1ST MOTION - STATE |
| 25-AUG-10 | BRIEF RECEIVED / SIDNEY J. GLEASON APLE BRF DUE 11/22/2010 |

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| 25-AUG-10 | MEMO ORDER - GRANTING MOTION / IN PART-TO FILE OVERSIZE BR-NOT TO EXCEED 200 PGS--8/10/10 EOT NOTED |
| 10-AUG-10 | MEMO MOTION / TO EXCEED BRF PAGE LIMITS - SIDNEY J. GLEASON |
| 10-AUG-10 | MOT. FOR EXT. OF TIME TO FILE BRIEF / 15TH MOTION - SIDNEY J. GLEASON |
| 19-JUL-10 | CERT. OF COMPLETION OF TRANSCRIPT / FILED 07/19/10 - HERMAN, CSR |
| 25-JUN-10 | CSR NOTICE / LTR/RUBIO, CSR - HERMAN CSR FOR 3/5/04 PLEA HRG |
| 25-JUN-10 | CERT. OF COMPLETION OF TRANSCRIPT / FILED 06/23/10 - RUBIO, CSR |
| 24-JUN-10 | ORDER FOR TRANSCRIPT / DUE 09/27/10 - HERMAN, CSR (3/5/04 GP) |
| 16-JUN-10 | ORDER FOR TRANSCRIPT / DUE 09/17/10 - RUBIO, CSR (8/12/04 SENT & 3/5/04 GP) |
| 16-MAR-10 | ORD. GRANTING EXT. OF TIME. TO FILE BRF. / DUE 8/10/2010 BR-SIDNEY GLEASON |

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| 10-FEB-10 | MOT. FOR EXT. OF TIME TO FILE BRIEF / 13TH & 14TH MOTION SIDNEY J. GLEASON |
| 03-SEP-09 | ORD. GRANTING EXT. OF TIME. TO FILE BRF. / DUE 2/10/2010 BR-SIDNEY GLEASON |
| 10-AUG-09 | MOT. FOR EXT. OF TIME TO FILE BRIEF / 11TH & 12TH MOTION SIDNEY GLEASON |
| 08-JUN-09 | MEMO ORDER-DENYING MOTION / TO LIMIT BRIEFS TO 200 PGS, RESPONSE NOTED |
| 03-JUN-09 | ORD. GRANTING EXT. OF TIME. TO FILE BRF. / DUE 8/10/2009 BR-SIDNEY GLEASON. RESPONSE NOTED & REQ DENIED. REPLY-NOTED |
| 27-MAY-09 | RESPONSE- / TO MTN TO LIMIT BRF SIZE - SIDNEY J. GLEASON |
| 20-MAY-09 | MEMO MOTION / TO LIMIT BR LENGTH TO 200 PGS - STATE |
| 18-MAY-09 | MEMO NOTATION / REPLY TO RESPONSE OF STATE TO EOT - SIDNEY J. GLEASON |
| 14-MAY-09 | RESPONSE- / TO MTN FOR EOT - STATE |

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| 11-MAY-09 | MOT. FOR EXT. OF TIME TO FILE BRIEF / 10TH MOTION - SIDNEY J. GLEASON |
| 24-FEB-09 | ORD. GRANTING EXT. OF TIME. TO FILE BRF. / DUE 5/11/09 BR - SIDNEY GLEASON |
| 09-FEB-09 | MOT. FOR EXT. OF TIME TO FILE BRIEF / 9TH MOTION - SIDNEY J. GLEASON |
| 13-JAN-09 | MEMO ORDER / NOTED. ENTRY OF APPEARANCE BY AILSLIEGER |
| 13-JAN-09 | ENTRY OF APPEARANCE / AILSLIEGER FOR STATE |
| 26-NOV-08 | ORD. GRANTING EXT. OF TIME. TO FILE BRF. / DUE 2/9/09 BR - SIDNEY GLEASON |
| 10-NOV-08 | MOT. FOR EXT. OF TIME TO FILE BRIEF / 8TH MOTION SIDNEY J. GLEASON |
| 21-AUG-08 | ORD. GRANTING EXT. OF TIME. TO FILE BRF. / DUE 11/10/08 BR - SIDNEY GLEASON |
| 11-AUG-08 | MOT. FOR EXT. OF TIME TO FILE BRIEF / 7TH MOTION - SIDNEY J. GLEASON |
| 29-MAY-08 | ORD. GRANTING EXT. OF TIME. TO FILE BRF. / DUE 8/11/2008 BR- SIDNEY GLEASON |

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| 20-MAY-08 | MEMO ORDER / NOTED-ENTRY OF APPEARANCE BY JARED MAAG. |
| 19-MAY-08 | ENTRY OF APPEARANCE / JARED MAAG FOR STATE OF KANSAS |
| 12-MAY-08 | MOT. FOR EXT. OF TIME TO FILE BRIEF / 6TH MOTION SIDNEY GLEASON |
| 22-FEB-08 | ORD. GRANTING EXT. OF TIME. TO FILE BRF. / DUE 5/12/08 BR-SIDNEY GLEASON |
| 11-FEB-08 | MOT. FOR EXT. OF TIME TO FILE BRIEF / 5TH MOTION SIDNEY GLEASON |
| 26-NOV-07 | ORD. GRANTING EXT. OF TIME. TO FILE BRF. / DUE 2/11/2008 BR-SIDNEY GLEASON |
| 13-NOV-07 | MOT. FOR EXT. OF TIME TO FILE BRIEF / 4TH MOTION SIDNEY GLEASON |
| 28-AUG-07 | ORD. GRANTING EXT. OF TIME. TO FILE BRF. / DUE 11/13/2007 BR-SIDNEY GLEASON |
| 14-AUG-07 | MOT. FOR EXT. OF TIME TO FILE BRIEF / 3RD MOTION - SIDNEY GLEASON |

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| 30-MAY-07 | ORD. GRANTING EXT. OF TIME. TO FILE BRF. / DUE 8/14/07 BR-SIDNEY GLEASON |
| 16-MAY-07 | MOT. FOR EXT. OF TIME TO FILE BRIEF / 2ND MOTION SIDNEY GLEASON |
| 05-MAR-07 | ORD. GRANTING EXT. OF TIME. TO FILE BRF. / DUE 5/16/07 BR-SIDNEY GLEASON |
| 20-FEB-07 | MOT. TO FILE BRIEF OUT OF TIME / 1ST MOTION - SIDNEY GLEASON |
| 17-NOV-06 | MEMO NOTATION / DUE 2/15/07-BRF OF APLNT |
| 17-NOV-06 | CERT. OF COMPLETION OF TRANSCRIPT / FILED 3/21/06 & 11/14/06 - RUBIO, CSR |
| 18-SEP-06 | ORDER FOR TRANSCRIPT / DUE 12/19/06 LINDA RUBIO (9/18/06) - CAPITAL CASE |
| 18-SEP-06 | ORDER APPOINTING COUNSEL |
| 18-SEP-06 | DISTRICT COURT DOCUMENTS / (3) |
| 18-SEP-06 | NOTICE OF APPEAL FILED / SIDNEY J. GLEASON |
| 18-SEP-06 | DOCKETING STATEMENT / SIDNEY J. GLEASON |